

08/15/94 VACATION OF UTILITY EASEMENT
Lot 5, Blk 7 Woodbury Park
Near Lake Harriet
(3617 W. 55th Street)

Legal
Description [REDACTED]
Cesspool [REDACTED] Sewer [REDACTED]
Permit No. [REDACTED] Permit No. [REDACTED]
Water [REDACTED] Meter [REDACTED]
Permit No. [REDACTED] Meter [REDACTED]
Plumbing [REDACTED]
Permit No. [REDACTED]

Gas
Permit No. [REDACTED]
Heating
Permit No. [REDACTED]



6344921

City of Edina

**NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on August 15, 1994, adopted a Resolution Vacating Easement for Drainage and Utility Purposes after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility and drainage purposes, all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

The south 20.00 feet of the north 54.45 feet of the east 5.00 feet of the west 10.00 feet of the east half of vacated Drew Avenue lying south of the westerly extension of the north line of Lot 5, Block 7, Woodbury Park Near Lake Harriet, according to the recorded plat thereof Hennepin County, Minnesota.

Said vacation did not affect, and there was continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power Company to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for electric service now in, on or under the above vacated area.

The time of completion of proceedings and the effective date of said vacation is September 20, 1994.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA



City Clerk

5c.

6344921

27SEP94 15:38 06344921 SCD \$4.50
27SEP94 15:38 06344921 DDC \$16.00

OFFICE OF COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA

CERTIFIED FILED AND OR
RECORDED ON

1994 SEP 27 PM 3:36

AS DECKMAN # 6344921

CO. RECORDER

By: M. McLean DEPUTY

REC FEE 15-
COPY FEE 1-

Return to: 8000 Allen
Way - Minn
Box 348



City of Edina

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BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Maureen M. Decker
City Clerk

OFFICE OF COUNTY RECORDER
HENRY COUNTY, MINNESOTA

CERTIFIED FILED AND OR
RECORDED ON

1994 SEP 27 PM 3:36

RECORDED
6344921
CO. RECORDER

MKS REPLY

Duplicate
Filing
Certificate

*Return to: ACCT. Office
Henry County
Box 1348*



City of Edina

September 22, 1994

Jerome P. Gilligan
Dorsey & Whitney
220 South Sixth Street
Minneapolis MN 55402-1498

Re: Vacation of Utility/Drainage Easement
Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET
3617 West 55th Street

Dear Jerry:

Enclosed are two copies of Notice of Completion of Proceedings for the above referenced utility/drainage easement vacation. You will recall that this vacation was requested to allow construction of a new garage on the property.

Please have the Notice of Completion entered in the transfer record of the County Auditor and filed with the County Recorder and then return the recorded document to me. This recording should be done as soon as possible as the applicant intends to build the garage soon.

Sincerely yours,

A handwritten signature in cursive script that reads "Marcella M. Daehn".

Marcella M. Daehn
City Clerk

cc: Terry Kehoe
Building Coordinator

**NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

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CITY OF EDINA

City Clerk



City of Edina

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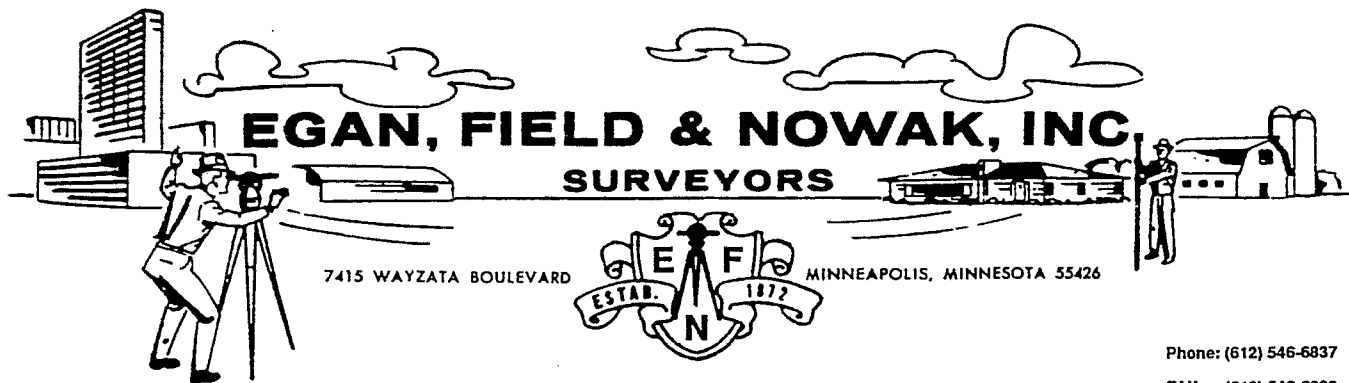
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BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Marcella M. Dacko

City Clerk



Phone: (612) 546-6837

FAX: (612) 546-6839

**PROPOSED DESCRIPTION
OF A PORTION OF
EASEMENT DOCUMENT NO. 2810291 TO BE RELEASED**

**PREPARED FOR
DUANE NORDSTROM
September 16, 1994**

The south 20.00 feet of the north 54.45 feet of the east 5.00 feet of the west 10.00 feet of the east half of vacated Drew Avenue lying south of the westerly extension of the north line of Lot 5, Block 7, Woodbury Park Near Lake Harriet, according to the recorded plat thereof Hennepin County, Minnesota.



REPORT/RECOMMENDATION

TO:	Mayor & City Council	Agenda Item #	<u>III.A.</u>
FROM:	Francis Hoffman City Engineer <i>[Signature]</i>	<input type="checkbox"/>	Consent
		Information Only	<input type="checkbox"/>
		Mgr. Recommends	<input type="checkbox"/>
DATE:	15 August, 1994		<input checked="" type="checkbox"/> To Council
SUBJECT:	Vacation of Utility and Drainage Easement - 3617 W. 55th St.	Action	<input checked="" type="checkbox"/> Motion
			<input type="checkbox"/> Resolution
			<input type="checkbox"/> Ordinance
			<input type="checkbox"/> Discussion

Recommendation:

The City staff has reviewed the request and would recommend vacating only a sufficient amount of the easement to accomplish the requested building addition, subject to the NSP issue being resolved. As such, staff would recommend this matter be heard Monday evening but the issue may need to be continued to the September 7th Council meeting so that details can be worked out between NSP, City staff and the homeowner.

Info/Background:

A request has been made to vacate a portion of a ten foot wide sideyard utility and drainage easement for the purpose of adding a garage addition to the property. NSP objects to the vacation of the easement as they have an overhead line which serves both the requesting property and the property to the west. NSP staff has stated that they are willing to change their position if the property owner and NSP can relocate the service wires with the homeowner being responsible for the costs.

W. 55th St.

North line of Lot 5 extended west North line of Lot 5

EAST 90.00

SET IRON

SET IRON

Center of vacated Drew Avenue

VACATED

N. 0° 30' 00" W. 234.07

214.00

PROPOSED AREA TO BE VACATED 5'

1-STORY DWELLING (WALK OUT)

NO. 3617

300.07 5.0° 21' 44" E.

East line of Lot 5

KEY

- Requested area of vacation
- City's recommended vacation area

SURVE
PROPE
LEGAL

CERTI

I here
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Dated

NOTE

1. Th
en

2. Ar

of Lot
fed South



AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

ss.

COUNTY OF HENNEPIN)

Donald W. Thurlow, being duly sworn on an oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as Edina Sun-Current, and has full knowledge of the facts which are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07; and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 27 day of July, 19 94, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: *Donald W. Thurlow*

TITLE: Publisher

Acknowledged before me on this

27 day of July, 19 94.

Meridel M. Hebelom
Notary Public
MERIDEL M. HEDELOM
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
EXPIRES JULY 16, 1993

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space
- (2) Maximum rate allowed by law for the above matter
- (3) Rate actually charged for the above matter

\$ 1.60 per line
(Line, word, or inch rate)
\$ 96.8* per line
(Line, word, or inch rate)
\$ 79¢ per line
(Line, word, or inch rate)

City of Edina

(Official Publication)

CITY OF EDINA

4901 WEST 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF UTILITY
AND DRAINAGE EASEMENT
IN THE CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4901 West 50th Street on August 15, 1994, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of the following utility and drainage easement:

The easterly five feet of the following described strip of land:

A ten (10.0) foot strip of land for a storm sewer or drainage ditch, the West property line of which is described as follows: Commencing at the South property line of West 55th Street and the centerline extended of Drew Avenue South, thence South a distance of two hundred and fourteen (214.0) feet along the centerline of Drew Avenue South extended.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL
MARCELLA M. DAEHN
City Clerk

(July 27, 1994)-ED

(Official Publication)

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING ON
VACATION OF UTILITY AND DRAINAGE EASEMENT
(3617 W. 55th Street)

The undersigned, being first duly sworn, upon oath deposes and says that he/she is a duly appointed and acting Police Officer for the City of Edina, Hennepin County, Minnesota, and that on July 28, 1994 he/she posted the Notice of Hearing on the vacation described above to be held on August 15, 1994, a true and correct copy of which is attached hereto, at each of the official City bulletin boards located at conspicuous places within the City as follows:

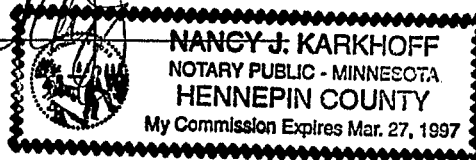
- 1) City Hall, 4801 West 50th Street
- 2) Municipal Liquor Store, 50th and France Business Area
- 3) Centennial Lakes Park Centrum, 7499 France Avenue South

Dated 7-28-94

Signed [Signature]

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this
28th day of July, 19 94.

[Signature]





City of Edina

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date July 28, 19 94, acting on behalf of said City I deposited in the United States mail copies of the attached NOTICE OF PUBLIC HEARING ON VACATION OF UTILITY/DRAINAGE EASEMENT (Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date at least 14 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and seal of said City this 28th day of July, 19 94.

Marilla M. Dachs
Edina City Clerk

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

MAILING LIST FOR VACATION OF UTILITY EASEMENT:

(Lot 5, Block 7, Woodbury Park Near Lake Harriet
3617 W. 55th Street)

20-028-24-22-0091	Duane & Elizabeth Nordstrom 3617 W. 55th Street Edina MN 55410
20-028-24-22-0090	Jeffrey & Patricia Erickson 3613 W. 55th Street Edina MN 55410
20-028-24-22-0081	James & Carol Dieckhaus 3701 W. 55th Street Edina MN 55410
20-028-24-22-0006 0007	South Side Hebrew Burial Assoc. (0006 + 0007) c/o Adath Yeshurun Cemetary
20-028-24-23-0118	Maurice Selcer 8800 Westmoreland La St. Louis Park MN 55436
Unkown PID	City of Edina Park land along Minnehaha Creek
	Steven Von Bargaen Minnegasco, Inc. P.O. Box 1165 Minneapolis MN 55440-1165
	Mark Kerksen Paragon Cable 10210 Crosstown Circle Eden Prairie MN 55434-3377
	Stuart E. Fraser NSP Normandale Division 5309 W. 70th Street Edina MN 55435
	Steven Van Anman U.S. West Communications 6244 Cedar Avenue So. Richfield MN 55423

3717 3713 3709 3705 3701

8

[illegible]

3801	3709	3705	3701	3617	3613	3609	3605	3601	3513	3509	3505
------	------	------	------	------	------	------	------	------	------	------	------

LAKE HARRIET

(105)

South Side
Hebrew Burial
Association

Adath Jeshurun Cemetery

0110

No PID
listed

Edmund Land

P A R K

5504

508

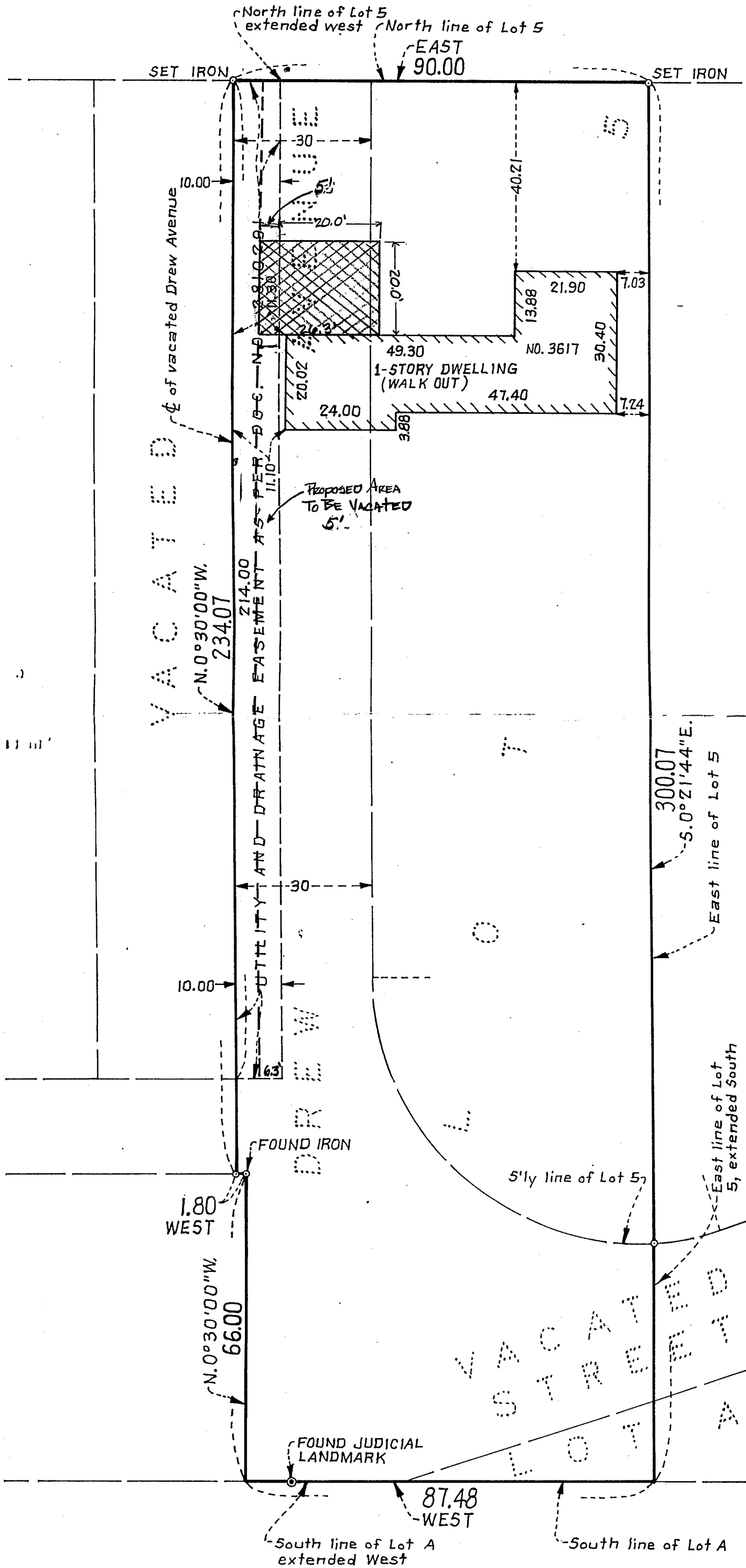
5512

~~BEARD~~

AVE

5

W. 55th Street



SCAL

SURVEY FOR: **DUANE NORDSTROM**

PROPERTY ADDRESS: 3617 West 55th S

LEGAL DESCRIPTION: (As contained in Commitment No

Lot 5, Block 7, Woodbury Park Near
ALSO:
That part of Lot "A" Woodbury Park
West of the East line of said Lot 5 e
ALSO:
All that portion of unnamed street v
Lot 5 and said portion of Lot "A" an
ALSO:
The East 1/2 of vacated Drew Aven
between the North line of said Lot 5

CERTIFICATION:

I hereby certify that this survey was prepared by
am a duly Registered Land Surveyor under the laws of the State of Minnesota.
Dated this 15th day of April, 1993.
EGAN, FILL

by *[Signature]*
Minnesota

NOTES:
1. This survey does not purport to show encumbrances.
2. Area of the property described hereon



City of Edina

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input checked="" type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS:

*Recommend vacating only portion necessary
to construct garage addition 5' wide
by 30' long.*

LOCATION:

3617 West 55th Street, Edina MN

Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by <u><i>Stanley B. B...</i></u> <u>8-1-94</u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: _____

LOCATION: 3617 West 55th Street, Edina MN
Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input checked="" type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS:

*subject to a ten foot utility easement being
granted to protect the OH pole line*

LOCATION:

3617 West 55th Street, Edina MN

Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

857



LOCATION NUMBER 39242

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by <u>Mark Kerssen</u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: _____

LOCATION: _____ 3617 West 55th Street, Edina MN

Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST by <u>Cary Schmidt</u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

8/2/94

CONDITIONS: _____

LOCATION: _____
3617 West 55th Street, Edina MN

Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

Case vac 8-15

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF UTILITY AND DRAINAGE EASEMENT
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 West 50th Street on August 15, 1994, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of the following utility and drainage easement:

The easterly five feet of the following described strip of land:

A ten (10.0) foot strip of land for a storm sewer or drainage ditch, the West property line of which is described as follows: Commencing at the South property line of West 55th Street and the centerline extended of Drew Avenue South, thence South a distance of two hundred and fourteen (214.0) feet along the centerline of Drew Avenue South extended.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

PUBLIC RIGHT OF WAY VACATION APPLICATION

Date Initiated July 6, 1994

I hereby petition the City Council of the City of Edina to vacate ~~all~~ of the following described public right of way:

100.00

07/13/94

☐ Street ☐ Alley ☒ Utility Easement
☒ Drainage Easement ☐ Other _____
(describe)

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? no

Legal description of area proposed to be vacated:

~~Easterly 5 feet of the westerly 10 feet of that part of~~
~~vacated Drew Ave. which has accrued to lots 5 & 6~~
~~Block 7~~ see attached description

Attached copy of scaled drawing showing in full detail the proposed vacation area.

Applicant MR & MRS DUANE NORDSTROM
(print name)

Signature Duane Nordstrom

Address 3617 West 55th St.
Edina, MN 55410

Telephone 929-5645

Fee: \$100.00

3800
M.S. 412.851

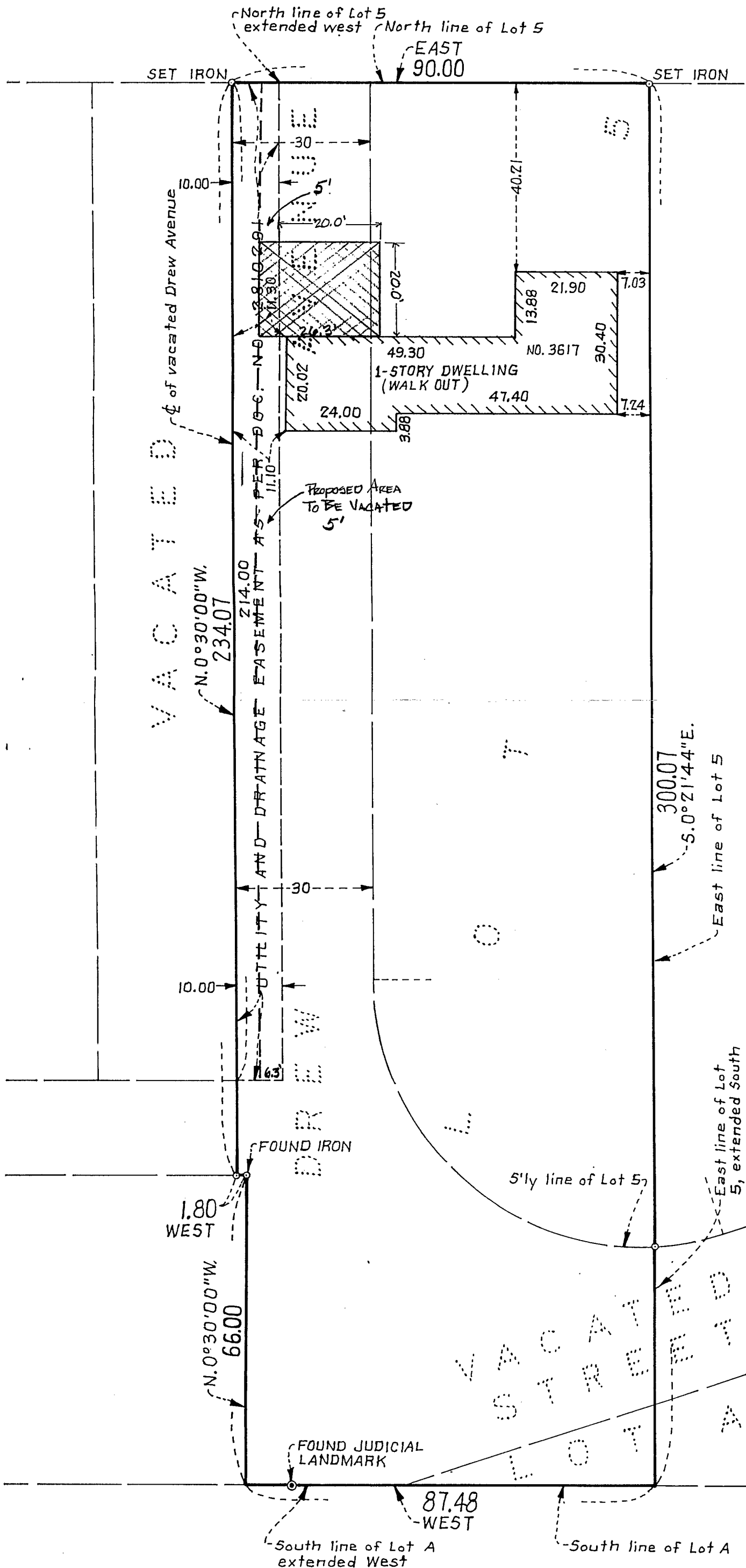
Description for vacation of utility and drainage easement:

The easterly five feet of the following described strip of land:

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Elizabeth Nordstrom 7-21-94

W. 55th Street



SCAL

SURVEY FOR: **DUANE NORDSTRO**

PROPERTY ADDRESS: 3617 West 55th S

LEGAL DESCRIPTION: (As contained in
Commitment No

Lot 5, Block 7, Woodbury Park Near
ALSO:
That part of Lot "A" Woodbury Park
West of the East line of said Lot 5
ALSO:
All that portion of unnamed street
Lot 5 and said portion of Lot "A" and
ALSO:
The East 1/2 of vacated Drew Avenue
between the North line of said Lot 5

CERTIFICATION:

I hereby certify that this survey was prepared
am a duly Registered Land Surveyor under

Dated this 15th day of April, 1993.
EGAN, FILL

by
Minnesota

NOTES:

1. This survey does not purport to show encumbrances.
2. Area of the property described hereon

(Official Publication)

**CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424**

**NOTICE OF PUBLIC HEARING
ON VACATION OF UTILITY AND DRAINAGE EASEMENT
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA**

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn, City Clerk

July 5, 1994

City of Edina
City Council
Edina, MN

Dear Sir or Madam:

We are requesting the City of Edina to vacate 5 feet of a 10 foot drainage easement, which runs down the westerly side of our lot. The 5 feet we are requesting would allow us to construct a double attached garage to our home. We are asking for only one half of the the existing drainage easement to be vacated, which would allow us to accomplish our building project and leave a substantial drainage easement for the City of Edina.

Our home currently has a very bad situation with the driveway at a severe downward slope to a tuckunder garage. For many years there has been serious water related problems including constant flooding of the garage due to spring melting, and heavy rains. In the winter ice build up, and snow drifts make the use of our garage extremely difficult.

There currently exist a culvert drainage system which runs from the street directly under the current driveway and house, and expels water on ground level in the backyard of our home. This culvert system has not alleviated any of the problem.

By allowing this vacation we could move forward with our building plan of a street grade double attached garage. This would eliminate the deluge of water and ice on the driveway and into the garage.

Our analysis of the water run off situation is that by raising the grade of our driveway we would solve our problem by containing the street runoff by the new driveway apron which will have an elevation sufficient enough to direct the water down the Street. Any excess water runoff effecting our house and or the neighbors house would be handled by a natural surface drainage passageway between the houses created by landscaping.

As to the existing culvert, we would suggest the total removal of the system, that has been proven not to work. In conversation with the city engineer we have discussed putting in a new drainage system. Should this be necessary it could be relocated on the remaining easement and done simultaneously with our building project.

We feel there is no need for a new culvert system. The drainage problems would be solved by our building plan. Therefore we are requesting the vacation of 5 feet of the city's easement.

Thank you for your consideration.

Sincerely,

Duane & Elizabeth Nordstrom

following described strip of land;

The easterly five feet of the ~~ten foot wide utility and drainage easement~~
~~described as follows:~~

(Insert entire first ¶ from easement document)

Commencing at the South property line of West 55th Street
and the centerline extended of Drew Avenue South, thence South
a distance of two hundred and fourteen (214.0) feet along the
centerline of Drew Avenue South extended which has been attached
to Lot 5, Block 7, Woodbury Park Near Lake Harriet.



City of Edina, Minnesota
OFFICE OF THE CITY CLERK
4801 West 50th Street • Edina, Minnesota 55424 • (612) 927-8861

TRANSMITTAL

DATE: 07/21/94 546-6839

TO: Jack Bolke FAX 546-6839
Egan, Field & Nowak

FROM: Marcella Daehn, Clerk

RE: Legal Description for vacation of utility/drainage easement
Duane Nordstrom, 3617 West 55th Street, Edina MN

ITEM(S):	NO.	DESCRIPTION
	<u>1</u>	<u>Proposed legal description</u>
	<u>2</u>	<u>First page of easement document No. 2810291</u>
	<u>3</u>	<u>7/5/94 letter from Duane and Elizabeth Nordstrom</u>

PURPOSE:

<u> </u>	As you requested	<u> </u>	Review and return
<u> </u>	For your information	<u> </u>	Reply to sender
<u> </u>	For your approval	<u> </u>	Other (see remarks)

REMARKS: 5; pages including cover. Mrs. Nordstrom will be calling you
to verify the legal description.

2810291

EASEMENT FOR UTILITIES

THIS INSTRUMENT, Made this 27 day of April, 1953, by and between JOHN F. LEDIN and SUSAN LEDIN, husband and wife, of the County of Hennepin and State of Minnesota, parties of the first part, and the Village of Edina, a municipal corporation of the County of Hennepin and State of Minnesota, party of the second part;

DEED 1958 PAGE 192

WITNESSETH, That the said parties of the first part, in consideration of One and No/100 (1.00) Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do Grant, Bargain, Sell and Convey to said party of the second part an Easement for the purposes herein-after set forth, in and over the following described property situated in the Village of Edina, County of Hennepin and State of Minnesota, to-wit:

A Ten (10.0) foot strip of land for a storm sewer or drainage ditch, the West property line of which is described as follows: [Commencing at the South property line of West 55th Street and the centerline extended of Drew Avenue South, thence South a distance of Two Hundred and Fourteen (214.0) Feet along the Centerline of Drew Avenue South extended.]

Said description covers a portion of Drew Avenue South, lying South of West 55th Street between Lot One (1), Block Six (6) and Lot Five (5), Block Seven (7), Woodbury Park near Lake Harriet, which was vacated by the Edina Village Council on November 10, 1952.

The parties of the first part further agree to permit the continued use of the existing culvert drain located within the vacated property as it is constructed until such time as the Village may determine that it is of no value, and further agrees to release the Village from all claims and damages resulting from any failure of the existing culvert drain.

It is the intention and agreement of the Parties hereto that the party of the second part shall in the construction, or maintenance of said utilities, replace the surface after any excavation in connection with such construction or maintenance work, in as nearly as possible the same condition as before such excavation.

The duration of this easement shall be perpetual.

The parties of the first part hereby covenant and warrant that they have good title to said real estate and that they will warrant and defend the said

2810291

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DEED BOOK 1958 PAGE 192

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REPORT/RECOMMENDATION

TO: MAYOR AND COUNCIL	Agenda Item # <u>VII.G.</u>
FROM: MARCELLA DAEHN, CLERK	Consent <input type="checkbox"/>
DATE: JULY 18, 1994	Information Only <input type="checkbox"/>
SUBJECT:	Mgr. Recommends <input type="checkbox"/> To HRA
	<input checked="" type="checkbox"/> To Council
	Action <input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Resolution
	<input type="checkbox"/> Ordinance
	<input type="checkbox"/> Discussion
PETITION FOR VACATION OF UTILITY EASEMENT - LOT 5, BLOCK 7 WOODBURY PARK NEAR LAKE HARRIET (3617 W. 55TH STREET)	

Recommendation:

Adoption of a resolution setting August 15, 1994, as hearing date on the petition for vacation of a utility easement on Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET.

Info/Background:

A petition has been received with the City requesting vacation of a utility easement on Lot 5, Block 7, WOODBURY PARK NEAR LAKE HARRIET, located at 3617 West 55th Street.

Staff would recommend that August 15, 1994, be set as hearing date to consider the petition. Copy of petition is attached.

N

SCALE: 1" = 20'



LEGAL DESCRIPTION: (As contained in Chicago Title Insurance Company Commitment No. M 2422222)

The East 1/2 of vacated Drew Avenue adjoining all of the above premises and lying between the North line of said Lot 5 and the South line of said lot "A" extended West.

by Jack Bolke
Jack Bolke
Minnesota License No. 20281

2. Area of the property described hereon is 26,779 square feet.

PUBLIC RIGHT OF WAY VACATION APPLICATION

3800
M.S. 412.851

Description for vacation of utility and drainage easement:

The easterly five feet of the following described strip of land:

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Elizabeth Nordstrom 7-21-94